



STATE OF WASHINGTON
APPLICATION TO ENTER A WATER RIGHT INTO
THE TRUST WATER RIGHT PROGRAM

RECEIVED
FEB 14 2012
DEPARTMENT OF ECOLOGY
EASTERN REGIONAL OFFICE

NOTE: THIS FORM IS ONLY TO BE USED FOR THE
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☐ Lease
☐ Purchase
☐ Donation
☒ Other

Explain: Temporary Donation

- ☐ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE 2012 season
END DATE w/in 5 years

FOR OFFICE USE ONLY

FILE No. _____ WRIA _____

DATE ACCEPTED ____/____/____ BY _____

FEE \$ _____ REC'D ____/____/____

CHECK No. _____

SEPA: ☐ Exempt ☐ Not exempt

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Herring Farm NWQ LLC.	PHONE NO. (509) 237-1314	FAX NO. ()
ADDRESS 928 Laguna Drive		
CITY Moses Lake	STATE Washington	ZIP CODE 98837

CONTACT NAME (IF DIFFERENT FROM ABOVE) F.J. Dullanty Jr., Witherspoon Kelley	PHONE NO. (509) 624-5265	FAX NO. (509) 458-2728
ADDRESS 422 W. Riverside Av., Suite 1100		
CITY Spokane	STATE Washington	ZIP CODE 99201

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Certificate No. 7358-A together with approved water right change (Grant County Water Conservancy Board 9/24/2009 approval, as affirmed and modified by Department of Ecology 3/31/2010 approval with modification.)	RECORDED NAME(S) Certificate: Veral E. Hodges Change: Filed in name of Entezar Development Group Inc., however all ownership interest in the Certificate remained with Herring, and all ownership interest in the application for change is also held by Herring (see Assignment being filed along with this application).
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

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WATER RIGHT NO. _____ FILE (contract) NO. _____

- ☐ Alteration in method of diversion ☐ Alteration in water use/ irrigated acreage

<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s):	

WATER RIGHT DESCRIPTION

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
(Approved Change Sources:)								
Four (4) Proposed Wells	1	SW	SW	15	18N	23E	150422000	n/a
	2	SW	SW	15	18N	23E	150422000	n/a
	3	SW	SW	15	18N	23E	150422000	n/a
	4	SW	SW	15	18N	23E	150422000	n/a

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
(Approved Change Purpose:)			
Community Domestic Supply	750 gpm	624	Continuous

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
For benefit of Aquifer—to preserve groundwater resources	624**
**recent review of the right concluded, tentatively, that the livestock water portion had been relinquished.	

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Certificate: NW ¼ of Section 35, T.19N, R.23E. W.M.							
Approved Change:							
Parcel 1: The Southwest quarter of the Southwest quarter of Section 15, Township 18 N., Range 23 E.W.M. Grant County, Washington.							
Parcel 2: All of Section 21, Township 18 N., Range 23 E.W.M., Grant County, Washington, EXCEPT that portion conveyed to the State of Washington for highway purposes by deed recorded in Book 40 of Deeds, Page 180, under Auditor's File No. 53130.							
Parcel 3: All that portion of the South half of Section 22, Township 18 N., Range 23 E.W.M. Grant County, Washington, lying northwesterly of the right of way for Primary State Highway No. 7 as described in that certain Dedication Deed from the United States of America to the State of Washington, dated August 27, 1952, recorded in Volume 35, page 225 of recorded documents under Auditor's File No. 531951, records of Grant County, Washington.							
(Below information pertains to Approved Change place of use).							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		15	18	23E	Grant	150422000	
		21	18	23E		150441000	
		22	18	23E		150444000	
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							
Herring owns Certificate place of use. Sun Canyon Inc. owns Change place of use.							

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED

Ground Water Aquifer. Recent review of this water right stated that it withdraws from the shallow zone of the Quincy subarea.

7. Remarks and Other Relevant Information:

This Water Right (Certificate #7358-A which was recently changed by actions of Grant County Water Board and Department of Ecology, changes identified previously) is requested for temporary donation to the State Ground Water Trust Program. This right had been approved for transfer off the subject property. The owners acquired other rights to irrigate the land where the water had previously been used. . The developers of the project to be covered by the transfer of 7358-A, however, were unable to put the water to beneficial use as changed and the sale agreement of the water right was terminated. Title to the water right did not pass to the developers. Although this was unexpected, the applicant/owners intend to use the water under certificate 7358-A, however they intend to do so on different land. They need time to acquire other land or otherwise provide for the water right's use. The applicant will maintain a sufficient ownership interest in the water right being enrolled during the temporary donation of this water right to the State Ground Water Trust Program, to effect decisions such as timing for withdrawal of the water right from the temporary donation. Prior to enrollment in the trust program, the applicant wishes to set acceptable terms with Ecology for the temporary trust donation. The applicant intends to use permit QB-1530 for irrigation on those lands formerly covered by #7358-A.

The applicant intends for there to be flexibility in this application to meet the specific administrative process that Ecology advises will best satisfy the requirements of the trust program.

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Robin Herring, Managing Member 2/13/2012
(Applicant) (Date)

Robin Herring, Managing Member 2/13/2012
(Water Right Holder) (Date)

(Land Owner(s) of Existing Place of Use)

1/1
(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE

EC ☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____

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